

HONORABLE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

WHITE OAK PARTNERS II, LLC,

Plaintiff,

v.

HERITAGE FINANCIAL
CORPORATION et al.,

Defendants.

CASE NO. C14-5911 RBL

ORDER DENYING PERMISSION
TO APPEAL IFP

DKT. #29

THIS MATTER is before the Court on Plaintiff White Oak's Motion [Dkt. #29] for Leave to Proceed *in forma pauperis* on his appeal of this Court's Order [Dkt. # 20] dismissing his claims against Defendants Heritage Financial Corporation and Heritage Bank. This case involves whether Heritage owes White Oak relief for refusing to extend it a line of credit seven times Heritage's lending limit (to be secured by "four barrels of uncut emeralds") that it had determined was based on incomplete and forged paperwork. White Oak's "agent," Emiel Kandi, asks for permission to appeal *in forma pauperis* because he lacks sufficient liquid assets.

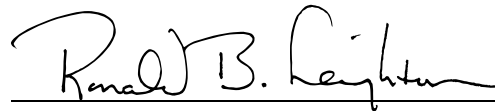
This Court must determine whether White Oak's appeal is frivolous or taken in bad faith. See 28 U.S.C. § 1915(c). A court should "deny leave to proceed *in forma pauperis* at the outset if it appears from the face of the proposed complaint that the action is frivolous or without merit."

1 *Tripati v. First Nat'l Bank & Trust*, 821 F.2d 1368, 1369 (9th Cir. 1987) (citations omitted); *see*
2 *also* 28 U.S.C. § 1915(e)(2)(B)(i).

3 White Oak's claims are frivolous and without merit for the reasons articulated in this
4 Court's prior Order. Accordingly, White Oak's Motion to proceed *in forma pauperis* is
5 DENIED. [Dkt. #29].

6 IT IS SO ORDERED.

7 Dated this 12th day of February, 2016.

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10 Ronald B. Leighton
11 United States District Judge
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